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SUBJECT: TURKEY'S RULING PARTY MAKES ITS FIRST MOVE

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Classified By: Political Counselor Janice G Weiner for reasons 1.4(b),(d)

[11.](#) (C) Summary and comment. Turkey's ruling Justice and Development Party (AKP) revealed the first moves in its strategy to survive the party closure case now pending in the constitutional court. Following AKP's April 7 Central Decision Making and Administrative Board meeting, party officials announced they plan to focus on an EU-related reform package, and seek opposition support for party closure-related constitutional amendments as a secondary priority. AKP's options were limited; constitutional reform efforts are cloaked in self-interest and risk continued polarization. Passing the proposed "democratization" package, including long-awaited revisions to controversial Penal Code Article 301, will not be easy but may restore AKP's EU credentials with Turkey's liberals and Western governments. Erdogan may hope to regain the advantage by emphasizing Turkey's (vice AKP's) interests, laying any damage to the accession process and/or economy at the opposition's feet. The party's "high road" move is unlikely to end divisiveness or gain AKP the allies needed to pass constitutional reform proposals; the far-right Nationalist Action Party (MHP) fervently opposes Article 301 amendments and has been uncooperative on party closure reform. AKP leaders seem to be betting an EU reform agenda offers the best cover as they prepare their defense against the pending closure case. End summary and comment.

[12.](#) (C) AKP leaders announced April 7 a plan to revive EU-related reforms, including long-debated penal code amendments and a commercial code overhaul. The party introduced to parliament the same day a bill amending Penal Code Articles 301 and 305, having finally resolved intra-party disputes over the proposed 301 language. Most media portrayed the EU-focused approach as a positive effort to defuse tensions that have gripped the country since the March 14 filing of a closure case against AKP. AKP's options were, in fact, limited (reftel). The party's EU focus was a source of strength in the past and will shore up support from liberals and business circles, as well as Western governments. Making controversial constitutional amendments to party closure provisions the top priority, as some AKPers wanted, would only have further ratcheted up tensions and substantiated accusations the party was acting solely out of self-interest. Amidst calls for compromise, AKP will now make constitutional reforms subject to opposition buy-in.

[13.](#) (C) PM Erdogan seems to have heeded the AKP faction

advocating a less confrontational approach. By walking back from earlier proposals to block the closure case by amending Constitution Articles 68 and 69, AKP has signaled it will prepare a defense and allow the case to proceed. AKP MP and party Vice Chair Dengir Mir Mehmet Firat said Erdogan will establish working groups to craft AKP's defense (reportedly headed by DPM Cemil Cicek) but assured the press following the six-hour April 7 meeting the party will ease public concerns and avoid escalating tensions. Party leaders may be hoping an emphasis on economic reforms and stability, including strengthening EU ties, will shift the burden of compromise to the opposition. Erdogan took the high road at AKP's April 8 party group meeting, stating that AKP's priorities are greater democracy, modernization and prosperity for Turks. Given the potentially severe economic and political consequences for Turkey posed by the closure case, Erdogan insinuated that blame for harming the country's interests would rest with opposition parties if they failed to compromise.

14. (C) MHP may not be willing to carry that burden when it comes to amending Article 301 or constitutional reforms on party closures. The far-right party has steadfastly resisted changing Article 301. MHP leader Devlet Bahceli recently reiterated Article 301 is strictly off limits. In fact, MHP threatened to immediately sever relations with AKP if an Article 301 bill is introduced to parliament. MHP Deputy Chairman Mehmet Sandir warned, "AKP must avoid revitalizing the EU process in order to avert the closure case." MHP has conditioned support for party closure changes on banning individuals rather than parties from politics, a risky trade-off for AKP MPs already targeted by the judiciary. Opposition Republican People's Party (CHP) and Democratic

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Left Party (DSP) are clearly against constitutional reforms and unlikely to back Article 301 changes; CHP has threatened to file a legal challenge if the measures are approved, as it has done repeatedly with other legislation passed this term. AKP's new strategy may win support in Brussels and Washington and with some AKP voters, but offers little chance of a parliamentary alliance. In the long-run, AKP may be willing to horse-trade Article 301 for MHP's support on constitutional reforms or, alternatively, run 301 to the ground to prove its EU reform credentials and bolster its image as the party willing to sacrifice all for Turkey's democratic future.

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